

# Vacant Property Review Commission

*Summary - January 17, 2014*

**Members present:** Chip Crawford, David O'Neill, Martina Ockerman, Bill Johnston, Karen Deprey, Shevawn Akers.

**Also in attendance:** Derek Paulsen, David Barberie, Jonathan Hollinger

The meeting was called to order at 10:05 AM.

The commission suggested John Reynolds, Vice President at Traditional Bank, to fill the vacant slot on the commission for a lending institution member.

The commission discussed the list of vacant properties that is being prepared. It will be available for the March meeting.

There was discussion of the Marcellus Peyton properties and their potential future.

The commission discussed the vacant property submission form. It was suggested that the form include voluntary fields for the reporter's name and the date of report.

The commission discussed how this public form would interface with the code enforcement database of vacant and/or abandoned properties. The properties will need to be tracked closely as they come through the database.

Paulsen stated that the city will do a press release announcing the new form.

Barberie discussed the process for creating a list of properties and making recommendations to Council about tax rates. The Council hasn't set the tax rate yet for this process, but they do have the authorizing ordinance in place. The list will possibly change throughout the year as properties are remodeled.

The commission discussed providing education to the Lexington Bluegrass Association of Realtors (LBAR) about the commission.

There was discussion about having the meetings in a more public forum such as Council Chambers and airing them on GTV3.

Discussion was had regarding the inclusion of a new note with code violations informing owners they are being considered for the commission's list. The commission also discussed having a color-coded system indicating the property's status in the process.

The commission stated that they need to create website with general information and forms. Lists of vacant and/or abandoned properties will also be published on this site.

The commission discussed the Landbank. Barberie stated that the Landbank is created, but not meeting. The Landbank could acquire property and package it together, but Landbank properties have to be developed within a year. It is easier for the Landbank to transfer properties than it is for the government to do so.

The commission suggested looking at the Landbank program in Knoxville, Tennessee.

The commission also expressed interest in being part of the affordable housing discussions being had elsewhere in government and throughout the community.

The commission discussed notification of property owners and banks when property is considered for the commission's list. The commission discussed the need for a basic database and website first.

Hollinger stated that he will create the database and website.

The commission discussed extreme cases, such as a property on Constitution. The owners would make payments at the last possible moment to avoid foreclosure. LFUCG then refused to take payment, the judge took over the property, and put conditions on the sale. The owner did not comply, so it was scheduled to be sold at Master Commissioner.

The commission discussed the flow of information and tracking where complaints came from.

Hollinger stated that all complaints can be brought to the commission, and stated that where the complaints came from would be tracked.

The commission expressed concern about not having any tools to deal with property right now. Barberie stated that the property tax list needs to be created by January 1.

The commission stated that a defined timeline of inspection for reported properties is needed.

The commission suggested that letters be sent to owners when property is put on the list for taxation as abandoned property. They also suggested clearly showing the steps needed to get off the list.

Barberie stated that Letters will go out after January 1 informing people of the commission's determination regarding their property. Owners have the right to appeal.

The commission asked about Code Enforcement. Code Enforcement will continue to cite all properties as usual, regardless of their status with the commission.

The Code Enforcement fine structure was discussed. It was suggested that the adoption of International Property Maintenance Code (IPMC) may need to be updated. The commission discussed making recommendations to council on fines.

The commission asked Hollinger to bring a list of code enforcement violation fines to the next meeting.

Barberie stated that LFUCG liens have priority, but if they become too high, some other lienholders may seek to have the priority changed.

There was some concern about appeals coming to the commission, as they also make the original determination to put the property on the list. The status is a legal determination and defined clearly in the ordinance.

The commission continued discussion of the vacancy for a lending institution representative and suggested the following three people to consider:

1. John Reynolds - Traditional Bank
2. Ryan Foster - Traditional Bank
3. Matt White - Peoples Exchange

Motion by Karen Deprey, seconded by Bill Johnston, to approve the vacant property reporting form. Passed Unanimously.

Motion by Karen Deprey, seconded by Bill Johnston, to create a second form for Code Enforcement to track reported property. Motion withdrawn after clarification.

The commission established that the new meeting location will be the 5th Floor Conference Room of the Government Center.

Motion by Martina Ockerman, seconded by Bill Johnston to adjourn the meeting. Passed unanimously.